

Remarks

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented with appropriately defined status identifiers.

The specification has been amended to correct an error made in the response to the Office Action dated April 23, 2007. In the response dated July 23, 2007 the priority data as it appears on the front page of the specification was updated. However, the priority data on the front page of the specification is not the correct priority data as it was changed in the Preliminary Amendment filed on January 2, 2004. The correct priority data is reflected in the filing receipt dated April 15, 2004. In sum, Applicants are merely correcting a careless error which was made during prosecution.

Claims 65 and 67 have been cancelled. Claim 66 has been amended to the same form that it had in the Reply filed on July 23, 2007. Withdrawn claims 40 - 48 and 51 - 64 have been canceled. Withdrawn claims 39, 49, and 50 have been amended. New claim 68 has been added. Support for new claim 68 can be found in claims 38 and 54 presented in the Preliminary Amendment filed on January 2, 2004. Because the foregoing amendments do not introduce new matter, entry thereof by the PTO is respectfully requested. Upon entry of this Amendment, claims 39, 49, 50, 66 and 68 will remain pending in the application.

On page 4 of the Office Action dated April 23, 2007, the Examiner noted that "Claim 66 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims." The Examiner provided a suggested version for claim 66 to place it in allowable form.

On page 5 of the response dated July 23, 2007, Applicants amended claim 66 as suggested by the Examiner.

In the Office Action dated October 17, 2007, the Examiner rejected claim 66 under nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 2, and 5 of co-pending application No. 11/506,656. The Examiner indicated that “Claim 66 appears to be free of the art. Once the Double Patenting rejection is resolved and pending a patentability conference, the claim may be deemed allowable.”

In the response dated January 11, 2008, Applicants inadvertently amended claim 66. This was done by mistake. Claim 66 was broadened which lead to the rejections noted in the March 25, 2008 final Office Action.

With this current response, claim 66 is being amended to the same exact form as examined in the office action dated October 17, 2007.

As a result, it appears that claim 66 is free of any art but for the obvious-type double patenting rejection over co-pending application 11/506,656. A terminal disclaimer is co-filed herewith. Applicants believe that claim 66 is now allowable.

Applicants respectfully request rejoinder of claims 39, 49, and 50 since they have been amended to depend from claim 66. If such a rejoinder is not possible, the Examiner has the applicants’ authorization to cancel claims 39, 49, and 50 by examiner’s amendment.

Conclusion

The present application is now in condition for allowance. Applicants respectfully request the allowance of pending and examined claims 66 and 68. Favorable reconsideration of the application as amended is respectfully requested.

No new matter has been added, and all cancellations have been made merely to expedite prosecution of the application. Accordingly, Applicants reserve the right to continue pursuing previously presented arguments in any divisional, continuation, or continuation-in-part applications. Specifically, Applicants reserve the right to file divisional applications on the other 16 non-elected inventions from the Restriction Requirement mailed December 30, 2004.

The PTO is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 - 1.17, or credit any overpayment, to Deposit Account No. 07-1850.

Respectfully submitted,

Date

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By



SQUIRE, SANDERS & DEMPSEY LLP
One Maritime Plaza, Suite 300
San Francisco, CA 94111

Cameron K. Kerrigan
Attorney for Applicants
Registration No. 44,826

Customer Number: 45159

Telephone: (415) 954-0200

Telephone: (415) 954-0323

Facsimile: (415) 393-9887